However, because of a Conspiracy by Messrs. Connolly and Decker and because the upgrade title was elevated to a Bureau Chief title the named Defendants claim all previous qualifications obtained by me, are now **null and void** and I am no longer qualified to continue as the supervisor of the unit.

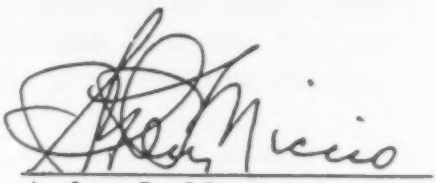
In addition, they placed the upgrade title into an "unclassified" position because the new, much younger employee is also an unclassified employee and remains uncertified by Civil Service.

22. Therefore, even though **I remain qualified because of previous qualifications obtained through DOP (Civil Service),** I remain removed, displaced by a far less qualified, younger employee to now supervise the same employees, performing the same job functions, who I previously supervised for over (8) years, in direct violation of the ADEA Act and §1983.

23. Discovery Evidence to present full disclosure has been withheld from me and a Desparate and Conspiracy Claim was filed to this Court and is also submitted as part of this affidavit and response brief.

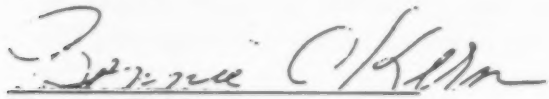
24. For any other reasons, the issues within the response brief should also be considered a part of this affidavit.

The foregoing statements made by me are true. I understand that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.



Arthur L. Miccio
Date: March 19, 1993

Sworn to and Subscribed
before me this 19th day of
March, 1993.



Notary Public

BONNIE C. KERN
Notary Public State of New Jersey
My Commission Expires December 1996